

REGULAR MEETING
7:00 P.M.

This Regular Meeting of Council was called to order on the above-stated date at the above-stated time after the Pledge of Allegiance and a Moment of Silence by President of Council Michael Cherepko with the following Members of Council present:

**RC-1 PRESENT: DALE McCALL, MICHAEL CHEREPKO,
ALFRED TEDESCO, JR., RICHARD
DELLAPENNA, JR., DARRYL SEGINA,
FAWN WALKER-MONTGOMERY**

ABSENT: LORETTA DIGGS

Mr. Cherepko said before they have a Moment of Silence, he would like to take this opportunity to recognize Breast Cancer Awareness Month because he knows that deadly disease of cancer has touched each and every one of them in the room. He said he would like to dedicate the moment of silence to their lost loved ones.

Pastor Warren Smith of the St. John's Lutheran Church led the prayer.

Ms. Williams said that Mrs. Diggs called and she is ill and will not be here this evening.

Also present were City Administrator Dennis Pittman, City Solicitor Craig Alexander and members of the Administration.

Mr. Cherepko said prior to the meeting they had a Personnel Committee meeting that ran over and that is why they were late starting this meeting.

MOTION: Mr. Segina moved, seconded by Mr. Tedesco, "To approve the minutes for the Public Hearing of September 6, 2011 and the Regular Meeting of September 7, 2011."

Mr. Cherepko said he wants to remind Council to try and speak into the microphones throughout the meeting. He said they had a couple of people reminding them of that before the meeting started. He said the Mayor has some proclamations.

Chief Lust said he has two gentlemen on the force that the Mayor would like to give proclamations to. He said the reasons for the proclamation are that during the hurricanes recently and the river rescue boat that they newly acquired, the Fire Department has gotten bigger and bigger in the River Rescue part of it. He said he has two gentlemen here tonight with him that go far beyond their duties here in the City of McKeesport. He said they are also part of the team in Region 13 in Pittsburgh. He said they got a call and were asked to help on the eastern side of the state during the recent flooding. He said they were actually in New York and Bloomsburg. He said not only were they there when Irene came through but they reported for the other storm that came through too. He said when these gentlemen leave their families here and go to give their services ... they trained here out of the City of McKeesport and he wants to thank the City for the opportunity for those men to be trained in these positions. He said Chuck Marqliotti is the Deputy Fire Chief downstairs and Jim Shields is a

Captain downstairs. He said they both got highly regarded jobs as coordinators in service on the force of Region 13. He said he got a call today to thank him for the service that these gentlemen provided. He said they are actually rookies in the field too but the experience was a great learning experience. He said during their services to other communities ... they saved 29 people in the second hurricane in Bloomsburg. He said everyone said they were great commanders and leaders in their position. He said without further ado, Patty has proclamations for them. He said they are very proud of them downstairs and they are putting the City in a position to get more money from Region 13 for the River Rescue here in the City. He said the boat has brought this to light and he thanks Council and the Mayor for bringing the boat here too.

Ms. Williams read the Proclamations:

Proclamation for Charles Margliotti and James Shields

Whereas Congratulations and citations are in order for Charles Margliotti and James Shields for being part of the McKeesport River Rescue Team and for taking part in rescue efforts in Eastern Pennsylvania, and

Whereas Charles and James were deployed twice to Eastern Pennsylvania for their life-saving skills, first during Hurricane Irene in Wayne and Lackawanna Counties and then during Tropical Storm Lee in Bloomsburg, and

Whereas Charles and James served proudly with the Allegheny County's Swift Water Flood Response Team in addition to their duties with the McKeesport Fire Department.

Now therefore be it resolved that this sincere appreciation of the Mayor, City Council, City Administration and all of the citizens at large of our City are hereby extended to Charles Margliotti and James Shields for their service. In

witness whereby I have hereunto set my hand and caused the Seal of the City to be affixed, Regis T. McLaughlin, Mayor.

Chief Lust said he also wanted to thank the families for letting these men go. He said if it was not for the families letting them go, the people might not have been saved.

Mr. Margliotti said they would like to thank Council for the opportunity to participate also.

COMMUNICATIONS:

- Received a copy of a letter sent by Mayor McLaughlin to Harry Walsh, Chairman of the Redevelopment Authority, RE: Redevelopment Authority Board Vacancy. The Mayor is appointing Duane Senay of 800 Franklin Street, McKeesport, to fill the unexpired term created by the untimely passing of Eugene Chancio.
- Received a copy of a letter sent by Dennis Pittman, City Administrator, to Mayor Gregory Erosenko of Monroeville, RE: 2005 Crown Victoria.
- Received the 2012 Preliminary Budget from the Allegheny Regional Asset District.
- Received a copy of memorandum sent by Bethany Bauer to the Mayor and City Council, RE: CDBG FY-2011.
- Received a memorandum from Dennis Pittman, RE: Adoption of Administrative Policy, Maintenance Record – City Vehicles.
- Received an invitation from the McKeesport Community Expo sponsored by the McKeesport Blueprint Community to be held October 15, 2011 from 11:00 a.m. until 2:00 p.m. at the Palisades on Water Street.

- Received a letter from the Pennsylvania Department of Transportation notifying the City that their Estimated Liquid Fuels money for 2012 is \$503,994.17.
- Received a copy of a letter sent by Dennis Pittman to John Bertoty, Executive Director, Blue Roof Technologies, Inc., RE: Board Membership. Mr. Pittman is resigning from the Board.

MAYOR'S REPORT:

- Fire Chief Lust said good evening to everyone. He said he wanted to thank the Mayor for the Proclamations for the gentlemen tonight. He said he did not even mention that Jimmy Shields takes out time from his family too and writes the grants for the Department. He said they went to one grant class and Jimmy spent so much time on that grant, he wants to thank his wife and kids for that too. He said the Fire Department had 654 calls through the month of September. He said he wanted to remind everyone that with the River Rescue Boat, they are first call on the River Rescue. He said they did have an incident where a tugboat was on fire. He said they have the boat that pumps water so they were first on the scene down there because the Coast Guard called them in. He said the guys did an excellent job. He said they had a little bit of work coming back to McKeesport because on their jet drive, the river was high and they took in some debris there. He said they are working on that to see what they can do differently. He said another thing he wants to mention is that when the time changes everyone should change the batteries in their smoke detectors too. He said they took care of a personnel matter in the back and did get the final one and the three part-timers they were going to replace. He said the last one did resign and they started another fellow named Dave Baumgartner. He said Dave is an EMT and works another job for Rescue 8 so they are fortunate

to get him. He said that is all he has to report unless someone has a question. He said thank you very much.

- Police Chief Washowich said good evening everybody. He said in the month of September, the Police Department answered 1,889 calls for service. He said they executed 195 arrests, issued 63 traffic citations, issued 17 orange tags and 2 vehicles were towed as a result of the orange tag violations. He said one handicap sign was placed. He said 310 parking tickets were issued. He said they investigated 5 robberies, 13 burglaries, 28 thefts over \$50.00, 2 stolen vehicles, 11 assaults, 7 weapon incidents, 15 missing person investigations and 9 fraud investigations. He said they recovered 14 weapons in the month of September. He said those recoveries were a direct result of extremely proactive police enforcement. He said they decided that Halloween Trick or Treating will be Monday, October 31, from 5:00 to 7:00 p.m. He said they feel that is the safest time so they can police the kids. He said he believes in the Communications they were notified of the vehicle that was purchased through Mr. Pittman and Mayor McLaughlin from the municipality of Monroeville. He said they acquired a 2005 Crown Victoria for \$1,500 and it is in great shape so it will be a fine addition to the fleet. He said he has nothing further to report unless someone has a question.
- Public Works Director Nick Shermenti said good evening. He said the Street Department has about finished up the paving projects for the year. He said they paved Coursin Street from Bailey to Library, Odair from Grandview to the end, Gray from Stockholm to Auburn, Regina from Jenny Lind to Beaver, Arboretum from Pinoak to Palm and Milburn one block to the dead end. He said they also did paving at the Number One Pavilion and the lot at Fifth and Center Street. He said they paved the lot for Harrison Village because they had an obligation to HUD where the City supplied the labor and the Housing Authority supplied the material. He said they still have to finish up the parking lots at the new ballfield. He said

that was also on the agenda this year. He said he met with the contractor today that is going to put the new light system and scoreboard and the utilities in at the ballfields. He said they are going to start in about two weeks and if they have time, they are going to go ahead and pave those lots. He said if they don't have time, they will have to push it up to early spring. He said they will have to see how that works. He said also he mentioned to Mr. Pittman that the main roof at the Main Pavilion is leaking. He said it is over 30 years old and is a rubber and shingle roof. He said they got an estimate on it for a little over \$20,000 about four years ago. He said he sent a memo to Mr. Pittman and he thinks they should put it out to bid to see what the prices are going to be because it is actually over \$10,000. He said they are constantly in there mopping up the floor before anyone goes in and out depending on the weather. He said also they are fixing up the old D.A.'s office over here and they are just about done. He said they are going to come in under budget for Senator Brewster's staff and he is probably going to move in by November 1. He said the material was about \$3,055 and they are about half way there. He said rock salt prices came in from the TRCOG. He said last year the salt was \$51.40 a ton and this year it is \$55.83. He said that is an increase of \$4.43 and it looks like if they would use their quota next year like they normally do, it will cost them an extra \$13,300.

- Mayor McLaughlin said where are they with salt right now.
- Mr. Shermenti said he has about 800 tons in the bin. He said if he knocks on wood and hopes and prays, they won't have to buy any for the rest of this year.
- Mayor McLaughlin said did he get his crystal ball out this year.
- Mr. Shermenti said he is trying. He said that is all he has.

- Mr. McCall said once the office is opened up here for the Senator, where is the off street parking going to be for people who want to come to see him.
- Mr. Shermenti said that is something they are going to try to coordinate with the Chief. He said the parking outside here along the front of the Fire Department is going to be for the people who visit the TRCOG and Senator Brewster's office ... for people who are visiting the offices. He said they are going to try to get something paved down here in the Memorial lot below them. He said they had a big problem with sewage down there a while back and they never did pave it after that. He said they waited until the settlement moved in but he would like to get something paved there also.
- Mr. McCall said also Heatherington Field behind home plate looks like they are getting a lot of water problems there. He said it looks like it needs to be shored up there.
- Mr. Shermenti said they actually put a French drain in about four years ago and they found out this year that it is clogged again so they will probably have to replace that again.
- Mr. McCall said also down on Patterson at Duncan Field, the backstops are kicking out like this. He said that is actually a hazard for anyone walking behind them. He said can Nick look and see ... especially in the winter when someone is walking through, they are going to get caught on it because they won't see it. He said he appreciates it.
- Mr. Pittman said he has two quick things. He said he wants to thank Nick for the number on the Main Pavilion. He said he doesn't know that the work can get done before winter but he will put that in the budget draft for all of Council to look at. He said he also wants to thank Mr. Alexander and Nick for

working with the second contractor on the ball fields. He said he thinks Mr. Alexander had some go arounds with bond counsels and a few other things. He said they have changed contractors and they still think that with Nick's help they will be able to get the work in this fall even if they don't get the parking lot paved. He said that way the Little League season will be able to start next year with lights.

- Mr. Shermenti said he thinks they are back on track.
- Mayor McLaughlin said did Nick check out the old tarp on the Helen Richey field to see if it is in good enough shape to put over that roof in case they have to.
- Mr. Shermenti said he may have to buy a piece of tarp but it is not going to be expensive. He said he thinks for the winter months they should tarp that roof.
- Community Development Director Bethany Bauer said good evening. She said she has a couple of quick points. She said earlier this week, she had the opportunity to meet with EPA and DEP officials regarding the gas station on Eden Park Boulevard. She said a contractor has been assigned to do a phase two of that project which should be completed before the end of the year. She said also the Community Development Department is beginning the process of the 2012 CDBG budget which she anticipates she will bring to Council at the November meeting and will submit it to HUD by January 14. She said she is asking Council to amend its Agenda this evening because they have received a proposal late this afternoon for some professional services for the updating of the City's zoning ordinances so they are consistent with Fair Housing and Equal Opportunity. She said that will help Community Development collectively with the voluntary compliance agreement that HUD has over them with the 2011 CDBG Budget. She said the gentleman recently did a similar process in Monroeville so he is versed in that particular service. She said she is asking Council to add that. She is also asking Council to either remove or vote in

the negative on Bill #197. She said they received a letter this afternoon that the Developer will not be pursuing that project on Walnut Street.

- Mayor McLaughlin said she is talking about the Dollar Store.
- Ms. Bauer said she believes they should have received the map for the RIDC subdivision of the parking lot. She said she reviewed it because the Building Inspector was out of the office today. She said they are just expanding it and leaving a residual piece of property. She said she also wants to thank the Public Works and the Fire Department for addressing the gutters on the City Hall building. She said she knows that was not fun but it was badly needed.
- Mr. Cherepko said he has a question. He said this Resolution that was put before them today, he is a little confused here. He said why would they not just use the Solicitor for the Zoning Board.
- Ms. Bauer said she supposes they could do that however the gentleman that gave them the proposal has done it most recently in Monroeville. She said quite honestly, and she will take the fault for this, they have told HUD for the past ten years now that the Zoning Ordinance is out of compliance with Fair Housing. She said for one thing or another, something always tends to come up that is more important and that gets put on the back burner. She said she knows that the current Zoning Solicitor is involved in a myriad of events and activities and she thought that if they brought an attorney in as a consultant specific to this then it assures that it gets done in a timely manner.
- Mr. Cherepko said he understands that but doesn't she think they should at least approach him first.

- Mayor McLaughlin said is Mr. Gobel's expertise in the line of redoing zoning ordinances.
- Mr. Cherepko said that is a question he can answer ... he is the Zoning Board Solicitor. He said that is a question they could look into.
- Mayor McLaughlin said that is these gentlemen's expertise.
- Mr. Cherepko said he just doesn't like this being thrown on them to be quite honest with them. He said when she said there was a proposal, were there bids put out.
- Ms. Bauer said they checked with some professional services and the project would come out the Community Development Block Grant budget as they discussed last night because Fair Housing is requiring a two to three percent set aside of their funds for Fair Housing activities such as this. She said this was also identified in their Analysis to Impediments that was done by Urban Design Ventures in Homestead.
- Mr. Segina said actually this is way overdue because last time they had any changes to their Zoning Ordinance, he was the Zoning Officer at the time. He said that was back in the 1980's. He said this is so outdated now and he knows part of it was outdated before they did this and they had a specialist come in at that time and they went over the entire Zoning laws. He said it is very complex really and it makes the job easier for the Zoning Officers who have to make decisions. He said he agrees with getting someone who has that field of expertise and can concentrate solely on getting those Zoning Ordinance laws to them as quickly as possible.
- Ms. Bauer said obviously it is up to Council's discretion.

- Mr. Cherepko said it was just a comment. He said he doesn't have a problem with this but he just wondered why this particular one.
- Ms. Bauer said they have been invited to a meeting at the end of the month as of most recently earlier this week where Secretary Donovan is going to be. She said the hope was that they would continue to get their ducks in a row and with the consent of Council, this would be one more thing that they could add to the list and show that they are going through this process. She said they are trying to be positive through this process.
- Mr. Cherepko said is this the person ... do the Mayor and Mr. Pittman feel comfortable with these people.
- Mr. Pittman said he has interviewed this gentleman and they spoke with HUD about this firm specifically. He said HUD wants this done by December 31. He said he would comment when the Controller's Report comes up to pay the bills, that they have enough money to pay the bills tonight and it would leave less than \$10,000 in the bank. He said HUD owes them in reimbursements already to date for this year over \$750,000. He said HUD is not releasing that money until they are comfortable that the City has a firm that will complete this before December 31. He said he doesn't know whether that is a threat or not but from a cash flow standpoint, he finds it a very serious consideration.
- Mr. McCall said they just changed Solicitors didn't they. He said but they didn't ask the new Solicitor that they have in that position now to do this.
- Mr. Segina said Mr. Kohl was here for 25 or 30 years and he didn't want the job either because it is so complex.
- Ms. Bauer said does anyone else have any questions.

- Ms. Walker-Montgomery said she has a question. She said she looked over the letter that they got from Mr. Tolbert from the Department of Housing and Urban Development and she guesses it is in reference to the Fair Housing and Equal Opportunity. She said she knows that they are holding some of the Community Development funds....
- Ms. Bauer said they are holding all of the funds.
- Ms. Walker-Montgomery said they are holding it in escrow. She said she looked at the letter and he was specifically pointing out that in two census tracts, he didn't feel like a lot was being done for low income and minority residents. She said what are the two census tracts that he was talking about.
- Ms. Bauer said she has one correction for the paper and she doesn't know if they will put this in the newspaper. She said the email message was from a gentleman, Mr. Michael Jansen, the Fair Housing Equal Opportunity Director for the HUD Office. She said Mr. John Tolbert, the Director of the CPD Division was kind enough to forward that along to the City as a courtesy.
- Ms. Walker-Montgomery said okay.
- Ms. Bauer said he is talking about census tracts 5512 and 5523 which is the Walnut Street corridor including Harrison Village and the census tract that goes up to Menzie Dairy and the Reservoir. She said as it was mentioned last evening, HUD has made a new decision making process whereas they were able to count all the events and activities that their partners were doing in the City like building the new houses such as MNI and Blue Roof. She said Mr. Jansen and his colleagues, but not Mr. Tolbert, have determined that unless there is Community Development Block Grant money directly in the project, they are not allowed to count it. She said so

all the things they have done, they have discounted all of those.

- Mr. Cherepko said he has a comment on that
- Ms. Walker-Montgomery said she is sorry Mike but she is going to cut him off. She said she just wants to tell her what her thoughts are before they leave her head. She said she read over this and she thinks it ties back into what she has been saying since she got here. She said she feels like they can do more within these two census tracts with the low income, minority residents as far as programming. She said she knows that most of the programming that is done is volunteer and she is not trying to discount that because she is one of the volunteers and they do a lot in the community as well. She said she does think that he has a point when it comes to the fact that they can do more in these specific census tracts with giving that particular money to the programs. She said the money kind of goes to programs that already exist and maybe according to this letter, their track record is not so good. She said the programs are already created so it is not really getting back into the community, it is just going back into organizations but not being funneled to the residents. She said she has been saying that literally since she got here so when she read this letter, she feels like he has a point. She said what she wants to do is sit down with her and anyone else that would like to and come up with some ideas so they can respond to this. She really feels like he has a point here when he is talking about these specific census tracts. She said they do a lot of volunteer things but that money doesn't go into those things. She said it goes to the Y or some other place and she personally feels like it should be funneled to the residents. She said that is what she wanted to say. She said she wants to sit down with her and hash it out and come up with a plan that they can send back to him and she invites

anyone else on Council that wants to participate. She said she does think he has a point here.

- Ms. Bauer said she would like to add that the \$1.2 million, which is anticipated to shrink for 2012, has been committed to a lot of debt and contractual issues that have been put into the CDBG Department so there is actually only \$300,000 left after all of those items are separated out. She said they have not funded the YMCA for at least four or five years. She said they used to fund the Boys and Girls Club but they don't even fund them anymore. She said between having to do some housing, demolition and street paving, it does not leave much else to give.
- Ms. Walker-Montgomery said anything they have left, could go to the residents for some of these programs that are out there and that would be helpful.
- Ms. Bauer said they need to be 501(c)(3)'s and
- Ms. Walker-Montgomery said she thinks that is what he was talking about in his report when he said that it goes to other things. She said she thinks HUD specifically wants it to go to the residents. She said she sees what Bethany is saying that it kind of does but she also gets his point. She said she is still trying to play Devil's advocate but she really thinks he has a point here.
- Ms. Bauer said previously under the last HUD Representative last year, they thought they had too many Code Enforcement Officers and they wanted the City to eliminate a position. She said they are not only talking about things going to residents but are talking about what they think is good for the City, not what the Council, Mayor and Department think is good for the Community and are literally trying to tell the City how to spend their money. She said that is a very, very slippery slope.

- Ms. Walker-Montgomery said there has to be some middle ground that would come out of this. She said they have been talking about the Ordinance Officers and having a meeting with them and getting more supervision there. She said obviously he has a point there because they have been talking about it. She said her thing is that she really wants to sit down with her and come up with a solution. She said they have to do it, they don't have a choice.
- Mr. Segina said the problem really is the money. He said they finance the river boat, the paver, and the \$5 million debt to demolish houses and pave all the streets in town. He said there is not too much left for the programs that they want the City to implement. He said he agrees with her as far as that goes it should happen. He said maybe a couple of Council members should meet with them. He said maybe there is a possibility of refinancing these articles into somewhere else so they do have that leeway of more money in the Community Development fund. He said that is where it goes into the neighborhoods. He said right now they can't go in the neighborhoods because the money is not going
- Ms. Walker-Montgomery said she thinks that is the issue that he is bringing up here. She said that it needs to go to the neighborhoods directly.
- Mr. McCall said the programs that are sitting out there, are they all 501(c)(3).
- Ms. Walker-Montgomery said yes some of them are. She said some are not.
- Mr. McCall said that is what he means because that could be a problem too if they are not because the money cannot go to them.

- Ms. Walker-Montgomery said there are a lot of programs that are 501(c)(3)s that they can bring in here and give the CDBG money to. She said she thinks that is what he is trying to get at here.
- Mr. Segina said what is the City's debt total on capital projects.
- Ms. Bauer said out of the Community Development funds there is a bond payment that was not equipment but activities they did in the past of \$350,000.
- Mr. Segina said but is that the total they owe now?
- Ms. Bauer said no that is an annual payment. She said there is another payment of approximately \$100,000 for fire equipment. She said there is the paver that they leased for \$27,000 and about \$400,000 in salaries. She said they used to fund the Beat Police program and they had to take that out of this year's budget because of the cut. She said they also thought that it would not be good if they eliminated the Housing component of it so they did have to leave that in. She said when they look at the numbers, it looks like there would only be ... based on \$1.2 million, about \$300,000 left. She said if Council proceeds with Mr. Radcliff or any solicitor or attorney, that will be between \$20,000 and \$50,000 less and that will only leave about \$200,000 to do the projects.
- Ms. Walker-Montgomery said the study about the Zoning laws is something they are requiring, correct.
- Ms. Bauer said they are asking for two parts, one is for the City to redo the Zoning and they are absolutely right and the second one
- Mr. Segina said that \$400,000 is left for paving and demolition.

- Ms. Bauer said it is for paving, demolition, Beat Police, parks, economic development
- Mr. Pittman said for MDC, MHC, and MNI.
- Mr. Segina said that won't cover much.
- Ms. Bauer said it is the match for RAD and DCNR and DCED projects, like Elm Street.
- Mr. Cherepko said he was actually going to make that part of his report this evening but since they are talking about it, he will just bring it up now. He said as far as the study goes, for the various things they have read and the discussions they have had, he realizes that it may not be what they want to do but in the grand scheme of things they are only looking at three to five percent that they may have to invest in order to possibly solve this problem and have \$1.2 million given to them. He said that may not be the route that they want to take but it is something that they really need to consider. He said if it is going to be \$30,000 then it is something they need to do. He said does he have his numbers correct.
- Ms. Bauer said probably.
- Mr. Cherepko said for \$30,000 they will release the \$1.2 million. He said then they can start to revamp that and they will cross that bridge when they get to it.
- Ms. Bauer said she has two points if she may. She said when they last met with the HUD officials, they asked them to come to McKeesport because Mr. Jansen has never been to McKeesport. She said they offered to show them the community. She said where Harrison, Crawford and Midtown and Highview are, those units have been long standing pillars in the community. She said they were not just built. She said that is part of their concentration matter. She said they want to punish the City and they would not come to McKeesport

for a visit. She said they have made it quite personal, in her opinion. She said to his thoughts about the study, she told Mr. Jansen that she has about four or five studies of those census tracts. She said she asked if they could use those instead of going through the process one more time. She said not that much has necessarily changed. She said she also talked about the new housing that MNI has done. She said she told Mr. Tolbert that he was with them when they cut the ribbon. She said how can they not count that. She said he remembered and said they put an article about one of the new home buyers in the monthly HUD newsletter nationally. She said but she cannot count those houses. She said it got very quiet and it is very disappointing because the Housing Authority does a wonderful job. She said their partners do a very nice job to the private and public sector. She said she agrees with both of them that this does need to come to a head.

- Mr. Cherepko said he agrees with what she said and it is a shame that they would not take one of the studies they already did. He said but at the end of the day, the ball is in their court and they are in control. He said no doubt that if they don't get the \$1.2 million then the City is out of business.
- Ms. Bauer said absolutely.
- Mr. Tedesco said he thinks this kind of highlights that the City has become so reliant on CD money rather than generating their own revenue. He said whenever they get in a situation where they want to control them, they actually hold the purse strings. He said maybe they do control them.
- Ms. Bauer said it is unfortunate for the agencies and services they have in the community. She said they all do wonderful jobs but the Mon Valley has absorbed a lot of that for Peterson and Upper St. Clair. She said for

them to tell the City that they are not doing Fair Housing, it is a tough thing for her to swallow.

- Mr. Malinchak said he has a question. He said what specifically would she have to do to encourage them to release that money. He said were they specific with her or is she just speculating.
- Ms. Bauer said they have provided the City with a voluntary compliance agreement (VCA). She said she has spoken with other people that have been in a similar situation and it has taken them eight to nine years to get out from underneath those agreements. She said actually only one got out from underneath the agreement and that was the Pittsburgh Housing Authority. She said it was the same players. She said HUD gave the City an agreement that was 13 pages long and they have been working with Ms. Dice to modify it and have been going back and forth with HUD to come to some agreement on that. She said one of the problems was that the agreement was pretty open-ended so that at the end of the three years, HUD would review and decide whether or not the City tried hard enough. She said if they didn't think the City did try hard enough and someone is having a bad hair day, then they will extend that agreement and extend it and extend it.
- Mr. Malinchak said this continues to extend the \$1.2 million.
- Ms. Bauer said if the document were to be signed by the Mayor, they would release the \$1.2 million.
- Mr. Malinchak said the total amount immediately.
- Ms. Bauer said as quickly as they can get it through whatever process they do.

- Mayor McLaughlin said they also want the City to hire a consultant.
- Ms. Bauer said they want the City to hire a Fair Housing Officer and they want to review the qualifications of that person. She said they gave the City a dossier on what that person's background and educational background needed to be, their skill set. She said they talked about the study and the Fair Housing component. She said they also want the City to do environmental and soil samples. She said she will say this, the property on Eden Park Boulevard, for just the studies and not the clean up will be approximately \$200,000. She said the concern that Mr. Pittman has shared with all of them is that if the Department would find something that was adverse such as a gas station, then HUD would say next year they would need to clean it up by doing a Phase 1 and Phase 2 and then clean it up. She said they would not have a program any more. She said they would be done.
- Mr. Segina said the consequences of them not receiving the \$1.2 million are grave in this community. He said first of all they will fall under the auspices of the County and will have to rely on them to give them money. He said it will not be \$1.2 million. He said they would be lucky if they got half of that amount. He said when they submit a project, the County will tell them what projects they can or cannot do. He said plus they will lose the whole Community Development staff where a lot of creative ideas have come to help this town. He said who knows the town better than CD Director and its staff so they can put the money in the right place. He said they would lose part of the money for the Beat Patrol and there are a lot of other consequences. He said it is a shame because nothing comes free and the federal government makes sure it is doesn't come free. He said they will pay a price. He said they had a ticket that was

free to them for a while and now for some reason or other, and he can merely guess as to why they are doing it, now it is coming to a head and they want control of that \$1.2 million. He said his suggestion is that they sign that paper to comply with them and hold them off for another year anyway. He said then they can do the best they can with that compliance and they will come back and say the following year what they did or did not do. He said then they will say they will do it and sign another agreement. He said that is the only way they can play that game with them.

- Mayor McLaughlin said that is exactly what he said. He said he told Bethany and Dennis today, to sign the paper, send it to them and let it go.
- Mr. Cherepko said that is what he said, they will cross that bridge when they get to it next year.
- Mr. Segina said then they can ask for mercy. He said if they don't get the \$1.2 million, this town is really going to be hurting because they have to take that out of the General Fund and they cannot do it.
- Ms. Bauer said actually she doesn't know how the City Administrator has been able to carry the program class for as long as he has. She said typically they get their money in June or July even though the fiscal year starts March 1 and she honestly doesn't know how the General Fund has been able to do it.
- Ms. Walker-Montgomery said getting back to her initial statement, she wants to make sure the money is being used what it is supposed to be used for. She said she understands they have debt and they have things they have to pay for but it is there to improve the conditions of low income minority residents. She said that is what she would like it to be utilized for. She said so getting back to her initial point, she wants to sit down with

Bethany and they can put their heads together and respond to this. She said she understands they have debts to pay and things to pay but she doesn't want to lose the fact of what the money is there for. She said they have to make sure it is being utilized for that. She said they also need to have communication with the residents in these census tracts to make that they feel like their conditions are being improved. She said she thinks that is a piece they lose as well. She said they don't go out and get their opinion. She said they are the ones whose condition is supposed to be improved. She said that is why she is saying she wants to sit down with Bethany. She said then she can tell Patty and she can tell everyone else. She said that is what she wants to do. She said she wants to make sure the money is being utilized in that way.

- Mayor McLaughlin said how do you pick what low income that this is to service.
- Ms. Walker-Montgomery said they named the census tracts. She said they were in the report.
- Mayor McLaughlin said no, no.
- Ms. Bauer said those are the two
- Ms. Walker-Montgomery said they had a lot of those in McKeesport so take your pick.
- Ms. Bauer said 61% of the community is low and low-mod income.
- Ms. Walker-Montgomery said take your pick.
- Ms. Bauer said it goes from Grandview to Highland Grove to part of Fawcett. She said these two census tracts ... and that is based on the 2000 Census numbers. She said the 2010 numbers have come out in rough form and she has a great big map in her office. She said

they have done a lot of removal of blight in the wards in conjunction with the St. Mary's project and in conjunction with a number of

- Ms. Walker-Montgomery said she is not saying that they didn't. She said she doesn't want them to think that she is saying bad things. She said she is just giving her opinion on literally what she has been saying since she got here. She said she feels like they need to be doing more. She said how do they pick, it doesn't mean that you don't pick.
- Ms. Bauer said she is absolutely right.
- Ms. Walker-Montgomery said how do they pick and that is what they need to come down and decide on. She said they do not not pick because there are so many She said that doesn't make any sense. She said they were elected to serve everyone so that is what they need to do. She said that is all the point she is trying to make. She said she is not trying to take away anything from what anyone else has done. She said she is one of the people who do those things. She said that is not what she is trying to do. She said what she is trying to do is make sure the money is being utilized how it is supposed to be used.
- Ms. Bauer said believe me, they would get her on that as well. She said her comments are well taken, thank you.
- Mr. Segina said not to belabor this but there are hearings on the Community Development monies and how they are spent and the budget is presented to them. He said his problem with that is that they should as a Council have their own hearing on that particular subject so that they can have whatever they want to put into that themselves or really take out of what that budget is. He said Council has a better handle on what is going on. He said the hearings are held in the afternoon and some

people can't make it because they work but they should be advised just as they are with the General Fund budget because it is that important too. He said they have not done it that way and maybe no one has thought about it but he thinks it should be presented to Council at one of their caucus sessions to go over it so they can put some ideas in there and would understand what they are voting on because they still have to vote on it. He said that comes to them for the vote.

- Ms. Walker-Montgomery said she knows and they don't know anything and then she feels like when she says something it is all bad.
- Ms. Bauer said thank you.
- Mayor McLaughlin said he just wants to congratulate Mr. Shields and Mr. Margliotti for the fine work they have done. He said if he ever lived anywhere else, he would want to live in the City of McKeesport because of the firemen they have and the good police work they have and it is a great town to grow up in. He said just to bring them up to date, the Bottom Dollar Supermarket and the flyover ramp are on schedule. He said the flyover ramp should be open sometime in the first part of November.

COUNCIL REPORTS:

- Mr. Tedesco said he just wants to ... they have their budget meeting coming up within the next few weeks and when they hear things like this, he just wants to reiterate that whenever the Mayor submits his budget, they need to start looking at ways to reduce costs and try creative ways to increase revenue. He said maybe it is some bad medicine they have to take now but eventually it will reduce their reliance on things like the CD money. He said the more ... if you look at it from their point of view. He said if the City was a business

and HUD was giving them \$1 million, they are going to want some say so in how that money is going to be spent. He said he doesn't really fault them with that. He said he would like to see them reduce their reliance on that.

- Ms. Walker-Montgomery said does Dennis or Bethany either one know why they backed out of the project on Walnut Street. She said do they know why they backed out of the project there.
 - Ms. Bauer said no. She said no and actually the Mayor asked if she had an opportunity to call them. She said she is going to reach out to them tomorrow morning and talk to them about some other possible locations. She said she thinks ... the way the letter read and she read it as it was going to be too cost prohibitive which is unfortunate. She said she will talk to them tomorrow because she would really like to find someplace for them in the community.
 - Ms. Walker-Montgomery said they got this in their packet about two appointments. She said are they going to be able to interview the people that he wants to appoint to the board.
 - Mr. Cherepko said he doesn't think they have to approve that. He said he did the one to the Redevelopment.
 - Ms. Walker-Montgomery said then he is not going to do that.
 - Mr. Cherepko said that is a Mayor's appointment.
 - Ms. Walker-Montgomery said okay. She said she has a question for the solicitor. She said there was something in the packet about MAWC law and she wondered if he was able to look over that. She said it came from Mr. Pittman.
 - Mr. Alexander said what is MAWC.

- Mr. Pittman said there has been a flyer that has been circulated at some of their resident's homes.
- Mr. Alexander said are they talking about the backflow preventer. He said that is required under the Pennsylvania State Drinking Act. He said it is Pennsylvania statute and he also believes it is required under federal law. He said anytime they change the meter, they are required to have that backflow preventer on the meter under the Safe Drinking Water Act. He said what it does is prevents pollutants from getting back into the water stream.
- Ms. Walker-Montgomery said is this something that they are implementing here.
- Mr. Alexander said he believes it has been implemented.
- Mr. Shermenti said he got a letter from MAWC on the buildings that the City owns, the Public Safety building and City Hall. He said that is only mandatory on businesses and is not for residents yet but he thinks it is coming.
- Mr. Alexander said it is coming.
- Mr. Shermenti said this building here does have it and he has a plumber looking into what it is going to cost because they also have to put a pressure valve on there too. He said there is actually a diaphragm, a tank, that keeps it pressurized. He said they are going to have to do that over at the City Hall.
- Ms. Walker-Montgomery said it is not to residents yet.
- Mr. Shermenti said not yet but it will be.
- Mr. Alexander said if the water authority or whoever does the metering proactively they may have already

implemented it even though it has not been mandated by the state yet.

- Mayor McLaughlin said he talked to Mr. Skezas from the Water Authority and it is going to be implemented by residents and everyone. He said like the City of McKeesport, they can't waive the fee because they will not waive it for non-profits or anyone.
- Mr. Shermenti said for a building their size, it is a few thousand dollars but for residents it will be a few hundred. He said they have to have a certified plumber and public buildings have to be inspected by a certified plumber every year.
- Mr. Pittman said the cost is the responsibility of the resident, correct.
- Mr. Alexander said yes. He said the certified plumber thing is an Allegheny County requirement, a master plumber.
- Mr. Malinchak said has anyone looked at the technology whether they make the check valve of a flow reversal device that perhaps there might be a device out there that has an integral with the water meter so if they change out the water meter, they will get that protection. He said he can't understand why that technology is not out there.
- Mayor McLaughlin said he should call the water authority and ask them.
- Mr. Malinchak said \$200, wow.
- Ms. Walker-Montgomery said did he ever look into the Personal Care home that has not paid their required bed tax from 2009. She said she wondered if that has been looked into.

- Mr. Alexander said he doesn't know whether it has been looked into or not. He said that is the first time he saw it but he will check into it and get back to Dennis.
- Mr. Pittman said he checked with the Chief and the Chief has withheld the inspection on the part of the Fire Department and as a consequence, they would not receive their occupancy license certificate from the Commonwealth. He said that has not caused them to cease to operate or make payment.
- Mr. Malinchak said how many years back does this go.
- Mr. Pittman said they made a partial payment in 2009 and they owe all of 2010 and three fourths of 2011.
- Mr. Malinchak said this is not something that just happened for the last year.
- Mr. Pittman said that is correct.
- Ms. Walker-Montgomery said can they have him look into this so they can get payment. She said they got something else about a lady who wrote a book about McKeesport. She said her name is Michelle Wardle-Eggers, who is the Executive Director of the Heritage Center. She said she wrote a book about McKeesport and she just wanted to acknowledge that.
- Mr. Dellapenna had nothing to report.
- Mr. Segina said in last night's caucus, he asked Mr. Alexander what the limit was on anything that would be sold from the City.
- Mr. Alexander said there are a couple of different provisions. He said the first is in the Home Rule Charter in Section 13.15-1504 and it is a little bit ambiguous, Exemptions to Competitive Bidding. He said it says contracts for labor, material, supplies or services

aggregating less than \$2,500 for items in the years supply do not need to be bid. He said that doesn't say whether they are purchasing them or selling them and sort of implies when they are purchasing them. He said there is also a provision in the Third Class Township Code that says no City personal property shall be disposed of by sale or otherwise except upon approval of Council by an Ordinance or Resolution. He said if Council shall estimate such sale value to be less than \$1,000, then it shall require notice of the proposed sale be posted for at least ten days on the bulletin board in City Hall describing and itemizing the property to be sold and directing that bids may be made thereon to the office of City Clerk. He said under \$1,000 does not need to bid through the paper but can be posted on the Bulletin Board and they can accept bids to the City Clerk.

- Mr. Segina said under \$1,000 can be posted on the bulletin board and over \$1,000 must be in the paper. He said can they make that in the form of a Resolution so they can adopt that.
- Mr. Alexander said it is in the Code.
- Mr. Segina said that is the Township Code and they are a Third Class City.
- Mr. Alexander said he is sorry, it is the Third Class City Code.
- Mr. Segina said he said Township Code.
- Mr. Alexander said no, the Charter has the \$2,500 language and the language he just quoted is the Third Class City Code. He said if he said Township he is sorry, he misspoke.
- Mr. Segina said can they get a memorandum out explaining that to all the Department heads so they can understand what the parameters are. He said last night

they also talked about leasing of the City properties. He said he looked at the paper that was given to them by Mr. Pittman and there seems to be a disparate difference in prices on what they rent for. He said he would like to see that more equal. He said they are going to amend the Agenda tonight and he would like to propose a resolution that first of all that they get a square footage appraisal by a professional certified appraiser on what the square foot of these offices should go for in both the Lysle Boulevard garage and the City Hall and whatever other properties they have. He said he would also like to propose they have one year leases on them and anyone who is delinquent in the leased monies or taxes would not be allowed to renew the contract. He said also he said they have to make it so everyone is paying the same price. He said there are different prices for every office that is in the building. He said that is not fair to the ones who are paying these differences.

- Mr. Cherepko said he would have to agree. He said he thinks up to this point the administration is taking care of that and he thinks Mr. Pittman overall has done a fairly good job with that but he agrees that when they renew these leases ... and most of them are up this year.
- Mr. Pittman said everyone except Senator Brewster.
- Mr. Segina said he is proposing that each lease comes before Council too.
- Mr. Cherepko said actually if you look at the Charter, it should come before Council.
- Mr. Segina said every legal document and those agreements should. He said he thinks that is only fair. He said he thinks they should be reviewed on a tri-annual basis so that every three years they are not too high or too low. He said maybe they are scaring people

away with too high of rent. He said then they could adjust it. He said that should be in the hands of City Council. He said can they make a resolution up for that.

- Mr. Pittman said do they want that for tonight or next month.
- Mr. Alexander said do they want a resolution to be presented for voting at the next meeting.
- Mr. Segina said it would be nice to do it tonight if he can but if he doesn't want to then he can prepare it for next month. He said that is fine for him.
- Mr. Pittman said all the leases in place expire in December.
- Mr. Cherepko said there is nothing they can do at this point.
- Mr. Alexander said he would like to sit with him to make sure he gets all he wants in the resolution because he said a lot.
- Mr. Segina said he can't remember if he said all the things he was thinking of that should be in there so they have a lock on this.
- Mr. Cherepko said sit down and make sure they get everything in there. He said they don't want to miss anything now. He said he thinks there are some tangibles that need to come into effect too with that office space as far as some offices compared to others. He said for the most part he thinks they have to have an estimate
- Mr. McCall said isn't there a reference in the Home Rule Charter for this already.
- Mr. Alexander said all contracts should be approved by the Council.

- Mr. Segina said the only one they have approved now is Senator Brewster's office.
- Mr. Tedesco said he agrees with Darryl and thinks the City has gotten into the landlord business and they have to look at it more strictly and make sure it is equitable.
- Mr. McCall said this is the argument he had a few months ago because they were bypassed and he was told adamantly that the Administration sets the standard not the Council. He said he is positive.
- Mr. Segina said they should also look at the Palisades and whoever has the Marina. He said he doesn't know who owns the Marina down there. He said he is lost down there and he thinks they should assess what they should be charging down there. He said he gets different prices on everything and he would like to see it more fair, equitable and constant.
- Mr. Segina said thank you for agreeing Mr. Cherepko, he appreciates it.
- Mr. Cherepko said it has happened quite a few times this evening, he must be coming around.
- Mr. McCall said he has nothing to report.
- Mr. Cherepko said he has discussed everything he had and he does want to congratulate Mr. Margliotti and Mr. Shields. He said as the Mayor said before, he is truly proud of their public safety. He said he thinks they take it for granted that they have a first class police and fire department in the City. He said it is tough on those families. He said they don't often consider the families. He said they see Mr. Shields' family there and they sit at home and the father/husband leaves for work and puts his life on the line. He said he is truly grateful and thankful for that. He said they are truly second to none.

CITIZENS IN THE AUDIENCE:

- **CYNDI DOWNES, 2726 MILBURN STREET, McKEESPORT, PA.** She said she has a vacant house next to her, 2724 Milburn and she wants to thank everyone because it looks like they are making progress. She said it is on the demolition list and she wanted to know where they go from here.
 - Mr. Cherepko said it is on the bill tonight and if it passes they will get the contracts out and they will get moving on that. He said then it should be down soon although he doesn't know what the timeline is but it should be fairly soon.
 - Mayor McLaughlin said it should be within about 30 days.
 - Mr. Segina said it is usually 30 days.
 - Mr. Cherepko said the light is at the end of the tunnel. He said it will get a lot closer than what she has been dealing with. He said she has been here numerous times and they appreciate her coming and voicing her concern. He said she has always handled herself in a very professional manner even though at times she can be very aggravated with things like these. He said thank you for that.
 - Ms. Downes said she has learned so much in the process. She said not only the chain of command but she has gotten to know them along the way and it is an education. She said she has heard a lot of horror stories where sometimes it takes three or four years to get a house down, so she is just hoping that they can speed things along and whatever she can do to help.
 - Mr. Segina said she is at the end of the trail. He said it is around 30 days after they sign the contract. He said when she is talking three or four years, that is because

of historical review and other things. He said she is at the end so she has graduated.

- **JERRY TEDESCO, 814 FAWCETT AVENUE, McKEESPORT, PA.** Mr. Tedesco said good evening. He said he is the President of the McKeesport Firefighters Union and tonight he just wanted to talk to them about some of the activities that the Firefighters have been involved in over the last couple of months. He said he thinks it is important that he tell them about these because if it was not for their support and their efforts and those of the Fire Chief, they would not have been able to do these in the Community. He said in August the firefighters participated in their annual MDA collection and raised \$1,200 through their boot collections for Muscular Dystrophy. He said many of them are familiar with that from the MDA telethons and it used to be for Jerry's kids. He said Jerry Lewis is no longer part of that. He said on September 24 they held their first kickball tournament and it was held by Local 10 and it was very successful and they raised \$5,126 which is going to be matched by Highmark. He said this will benefit Variety for Kids. He said Variety for Kids provides mobility and enabling equipment for kids with disabilities under the age of 21. He said he would like to thank all of them. He said the Police Department was involved with it as well as the Daily News and the Sewage Plant had a team in that. He said it was very successful although he was unable to attend because he was out of town. He said the Sewage Plant won. He said the other thing that is going on now as many of them are familiar with, October is known for Fire Prevention Week. He said Fire Prevention Week starts October 9 through October 15. He said throughout this month, Firefighters are going to be in the elementary schools here in town and actually today they were at Centennial Elementary School and one of the things they are doing this year that is a little bit different is that they are doing a coloring contest sponsored by the Firefighter's Union. He said each one of the schools, and in each grade, will be given a coloring sheet and each school will have a contest. He said

the Union is buying a bicycle for each boy and girl at each school. He said they will judge it and it will include the Propel School. He said they will give away a bicycle along with a helmet for each boy and girl winner at the school. He said he thought that would be of interest to them. He said finally he heard them give a moment of silence at the beginning of the meeting and he did this last year. He said with the agreement of the Chief and his permission, once again in October with Breast Cancer Awareness, they are going to be wearing pink shirts on duty. He said he brought those pink shirts with them today. He said they try to do a new design every year and of course this is not going to be one of the shirts he is wearing because he would never fit in this. He said this is this year's design. He said if anyone is interested in purchasing these, they are going to take additional orders and have their first order in. He said they have raised over \$450 that will go towards a local charity for Breast Cancer. He said all proceeds will be donated to the local charity and they have taken their first order and a second order is ready to go in if anyone is interested. He said as they did last year, they have shirts for all of them here today which they will give them after the meeting for all their gracious officials that allow them to do this while they are on duty and one for the Chief as well. He said the Chief's will be in the second order. He said they tried to get these out for the Council meeting but there was a cross up, they were all supposed to be done. He said he just wanted to say thank you because all of these events were possible because of the cooperation of the City, the Fire Chief, and City officials here today. He said they raised a lot of money and will raise a lot of money for Breast Cancer Awareness. He said they raised a lot of money for MDA and Variety for Kids. He said the Firefighters just are not out there just fighting fires and training, they are also out there working for charities in the City. He said these guys put a lot of time into training and he wants to congratulate them too but it is because of their cooperation and the Chief's cooperation and he wants to thank them all.

- Mayor McLaughlin said when they are done raising all this money can they do a boot drive for the CD Department.
- Mr. Tedesco said they would be happy to.
- Mr. Segina said he has a personal interest in what they are doing and he would like to say that Real Men do wear Pink.
- Mr. Tedesco said yes they do. He said they will be wearing these T-Shirts on duty because of the Chief's permission.
- **KEITH MURPHY, 907 EVANS AVENUE, McKEESPORT, PA.**
Mr. Murphy said good evening to the Mayor, Council and the leadership of McKeesport. He said he is here to talk about two things, one is that up at Cornell there will be a \$34 million project built. He said his appeal to the McKeesport Area School District Board has been will McKeesporters have jobs out of that \$34 million. He said additionally will there be any minorities involved in any of the hiring. He said the School Board basically told him no. He said there is a \$34 million project that will be built in McKeesport with tax dollars with an increase coming ... and for those on fixed incomes, they need to think about their Seniors. He said they will be faced with some decisions, whether it is will they have lights, water or food. He said the McKeesport Area School District has taken care of White Oak's problem in terms of attracting new members to come and move into the Community. He said they have built the most new houses in the Seventh Ward than anywhere else in McKeesport where that school will be located. He said it will be a grave injustice if this panel, the Mayor and the Council, do not send a resounding appeal to the McKeesport School District that they need McKeesporters on that job. He said they have laborers in this City and plumbers and electricians and a lot of skilled workers in McKeesport. He said they will not be given an opportunity with the firm coming in from outside McKeesport with no self-

contracting happening with the residents. He said they need to be very serious about that. He said his second point is Spring Street. He said why would they build a state of the art facility, \$34 million project with a road that is closed. He said it is an eyesore. He said that should be a priority for McKeesporters to say how do they have access to this great place and hopefully attract some potential resident members. He said they may come in from somewhere else and say they like what they are doing here. He said they will see the new housing developments and the changes being made in the infrastructure. He said those are things they can change. He said he doesn't believe that it is going to cost \$1 million as everyone has been parading that figure around for fixing Spring Street. He said it can't be that deep. He said what he is asking this board and the Mayor is to send a message to the McKeesport School District Board of Directors and Solicitor that if they are going to build in McKeesport, then they need to have some McKeesporters working on these projects. He said they know that if folks are working, they find reductions in crime. He said those are all things connected. He said not only that but working McKeesporters bring tax dollars to McKeesport. He said those are things that create revenue and they are sources. He said but if they sit by and let them do what they do, they have already built Francis McClure without any minorities that he has seen and he visited that spot 34 times and never saw one black person. He said he never saw a Latino or a woman. He said they have done nothing to support McKeesport. He said he thinks it is their opportunity to say to them, "Our tax dollars are going into this project as well and we need some of our people working on this project." He said thank you.

- Mr. Pittman said he would like to comment. He said Keith is more than welcome to come in and he is not saying that he should or they should or should not do Spring Street. He said please come in and look at the engineering survey they had done in the spring of this year that they shared with the school district and offered

to be a conduit for them to help them do that street. He said it is, if they do it, going to cost \$1 million. He said it is Bethany's office and Keith is more than welcome to read it. He said he is not thrilled at the numbers that are in it but he doesn't have any way to dispute the professionals' numbers. He said they were not the school district's numbers. He said it was an independent engineering study and he is more than welcome to see it.

- Mr. Segina said they also have the McKeesport Municipal Authority involved in this because they own the lines now. He said he thinks maybe they could forge a cooperative agreement between the three entities. He said it is going to benefit every one of them.
- Mr. Pittman said he would not disagree with Mr. Segina but he is just saying the number is \$1 million.
- Mr. Segina said that is nice of Mr. Pittman.
- Mr. Murphy said let's make that happen because they should a \$34 million project that is state of the art silver LEED, it deserves a first class street so that folks can ride up or ride down it.
- Mr. Segina said they should review that estimate and see if they can do some other things. He said he wishes he could be in there on that meeting so that he can make a couple of suggestions as to how to facilitate this and get this Spring Street back in there. He said he thinks it is an important artery that needs to be addressed.
- Mr. Tedesco said while they may not be able to fix it immediately, they can certainly do something because people still do walk up and down that street. He said he

did notice that it is overgrown and if there is anything that Nick can do to clean it up.

- Mr. Shermenti said he can clean that up. He said they can have walking going down the right side. He said he would not advise walking on the left side with that wall.
- Mr. Tedesco said that is something they do need to address. He said the school district does need to take care of that wall. He said that wall is collapsing.
- Mr. Segina said he would like to make a motion on behalf of Mr. Murphy that this Council send a letter to the school district and ask them if they can possibly favor any McKeesport Area School District residents on the construction jobs and preferably the minority part of it. He said if they can have something to that effect drawn up and sent to them, he thinks it is only right that they try to get as many McKeesport area residents involved with this, especially the minority groups.
- Ms. Walker-Montgomery said that is exactly what she was going to say. She said she definitely agrees.
- Mr. Segina said he is sorry he stepped on her toes.
- Ms. Walker-Montgomery said that is okay but she is going to send one personally herself as well. She said she does think as a Council they should send one.

MOTION: Mr. Segina moved, seconded by Ms. Walker-Montgomery, "To send a letter to McKeesport Area School District regarding the hiring of McKeesport Area residents and minorities on the Cornell School building project."

RC-3 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

- Mayor McLaughlin said just to let Keith know, the Municipal Authority is doing a \$54 million project across the river at the Municipal Authority and they put everything in the bids that all the contractors will have to pay their Business Privilege Taxes up front and that they subcontract to local people. He said that is in the specifications and contract for the work.

NEW BUSINESS:

ORDINANCE #11-18 – BILL #190: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE EARNED INCOME TAX ORDINANCE NO. 76-03, AS AMENDED, TO REFLECT THE CHANGES OF ACT 32 EFFECTIVE JANUARY 1, 2012.

MOTION: Mr. Tedesco moved, seconded by Mr. Segina,
"To adopt Bill #190."

RC-4 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

RESOLUTION #2011-66 – BILL #191: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING A REQUEST FROM RIDC TO SUBDIVIDE LOT & BLOCK 307-A-25 AND COORDINATE THE SOUTHERLY PART WITH LOT & BLOCK 307-E-192 LOCATED IN THE FOURTH WARD OF THE CITY OF McKEESPORT.

MOTION: Mr. Tedesco moved, seconded by Mr. Segina,
"To adopt Bill #191."

NAYS: NONE..... 0

- 42 -

- Mr. Pittman said he is recommending they approve it at 75% of what it could be, yes.
- Mr. Segina said what he is doing is banking this year.
- Mr. Pittman said yes.

RC-6 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGina, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

RESOLUTION #2011-68 – BILL #193: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ACCEPT THE BID OF DEREK STIFTT FOR THE PURCHASE OF ONE 2000 EVINRUDE OUTBOARD MOTOR.

MOTION: Mr. Tedesco moved, seconded by Mr. Segina, "To adopt Bill #193."

COMMENTS:

- Mr. Segina said this is the reason he asked Mr. Alexander about that. He said this could have gone strictly on the bulletin board. He said did they advertise it.
- Mr. Cherepko said they did actually advertise this one so technically they would not have had to.
- Mr. Alexander said correct.
- Mr. Segina said right, that would have saved them some money and that what he was trying to establish what the lowest amount is. He said it is a good thing they did because sometimes they don't know what the value of certain machines.

RC-7 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGina, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

RESOLUTION #2011-69 – BILL #194: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH LUTTERMAN EXCAVATING FOR 2011 CDBG DEMOLITION, CONTRACT A, IN THE AMOUNT OF \$92,700.00.

MOTION: Mr. Tedesco moved, seconded by Mr. Segina, "To adopt Bill #194."

COMMENTS:

- Mr. Segina said he would like to comment on this and he said last night that they need a comprehensive program of their housing stock and not just going out and demolishing every possible house they can. He said he knows there are a lot of houses that should come down but he is wondering how many houses they can save before it gets to that point. He said or before the Fire Department has to go out there throw a hose on it because someone set it on fire. He said he will not vote again for another demolition list after this until they have some kind of plan in place for their housing stock so they can all see that they are going to improve their neighborhoods and try to improve the quality of life for the people living in those neighborhoods.

RC-8 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA, SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

BILL #195: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH LUTTERMAN EXCAVATING FOR 2011 CDBG

- Mr. Cherepko said he would like a motion to table this Bill.
- Mr. Alexander said the Bill should be introduced first then they can make a motion to table.
- Mr. Cherepko said he would like a motion to table this Bill at the recommendation of the Community Development Director.

RC-9 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE 0

MOTION: Mr. Tedesco moved, seconded by Ms. Walker-Montgomery, "To adopt Bill #196."

- Mr. Cherepko said this will be the one year guarantee and then after that they will be able to ... in case UPMC McKeesport would want to ...
- Mr. Pittman said they can cancel within 30 days.

- Mr. Segina said it is actually a 15 month or 18 month.
- Mr. Pittman said they set it up to run through December 31, 2012, through the next calendar year. He said they need to fill in this year because Jefferson quit.

RC-10 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

BILL #197: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING THE FORM OF AN AGREEMENT BETWEEN PENNTEX VENTURES, LLC AND THE REDEVELOPMENT AUTHORITY OF THE CITY OF McKEESPORT FOR THE SALE OF LAND KNOWN AS THE PROPERTY BORDERED BY WHIGHAM STREET, STATE RT. 148 (WALNUT STREET), 11TH STREET AND TUBE WORKS ALLEY IN THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, FOR THE CONSTRUCTION OF A RETAIL DEVELOPMENT, PROVIDING THE AGREEMENT MEETS ALL REQUIREMENTS AND REGULATIONS OF THE REDEVELOPMENT AUTHORITY OF THE CITY OF McKEESPORT.

- Mr. Segina said they are going to have to table this Bill too aren't they.
- Mayor McLaughlin said they should just vote it down.
- Mr. Segina said can they just approve this bill.
- Mr. Alexander said it is a motion to adopt.

MOTION: Mr. Tedesco moved, seconded by Mr. Segina, "To adopt Bill #197."

RC-11 YEAS: NONE..... 0

NAYS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

- Ms. Williams said they have to amend the Agenda to include Bills 198 and 199.
- Mr. Cherepko said he would like a motion to Amend the Agenda to include Bills 198 and 199.

AMEND THE AGENDA:

MOTION: Mr. Tedesco moved, seconded by Mr. Segina,
"To amend the Agenda to add Bill #198 and
Bill #199."

RC-12 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE 0

**RESOLUTION #2011-71 – BILL #198: A RESOLUTION OF
THE CITY OF McKEESPORT, ALLEGHENY COUNTY,
PENNSYLVANIA, AUTHORIZING THE PROPER CITY
OFFICIALS TO EXECUTE ANY AND ALL DOCUMENTS
NECESSARY TO ACCEPT AN EASEMENT TO BE LOCATED AT
THE CORNER OF EDEN PARK BLVD. AND WALNUT STREET
FOR THE RELOCATION OF A DIRECTIONAL TRAFFIC SIGN
FOR BOTTOM DOLLAR FOOD NORTHEAST, LLC.**

MOTION: Mr. Segina moved, seconded by Mr. Tedesco,
"To adopt Bill #198."

RC-13 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE 0

MOTION: Mr. Tedesco moved, seconded by Mr. Segina, "To Table Bill #199."

- Mr. McCall said he has a question. He said is there a time frame that this is supposed to completed.
- Ms. Bauer said yes, by the end of December this year.
- Mr. McCall said by the end of December, this part should be in place and they are getting it at a flat rate of \$20,000.
- Ms. Bauer said not to exceed \$20,000.
- Mr. McCall said okay.
- Mr. Cherepko said as he said earlier, his only concern is that it came on at the last second. He said he doesn't like to be surprised. He said with that being said he is taking the recommendation of the Mayor and Mr. Pittman regarding this.
- Mayor McLaughlin said thank you.

RC-14 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

CONTROLLER'S REPORT:

- Mr. Malinchak said he has a couple of questions. He said he and Mr. Pittman have had some discussions with regard to possibly increasing the line item for the Mayor's Salary.
- Mr. Pittman said yes, sir.
- Mr. Malinchak said that would be based on the fact that when Mr. Dice rendered an opinion that it should be based on Mr. Pittman's W-2.
- Mr. Pittman said yes sir.
- Mr. Malinchak said that means they are about \$20,000 shy on this line item. He said he thinks once that opinion was rendered, they are compelled to fund that line item accordingly. He said that is up to Mayor McLaughlin to decide what part of that he wants to take but he thinks that should be funded.
- Mr. Cherepko said correct him if he is wrong but in their budget, he believes it is all correct as far as the line item being \$70,000. He said they have \$66,500 for the Administrator.
- Mr. Pittman said he thinks they have the Mayor's Salary at \$70,000. He said Mr. Cherepko is correct.
- Mr. Cherepko said 5% more would take it to \$70,000.
- Mr. Malinchak said that is not the way it is calculated. He said what is the Administrator's salary.
- Mr. Pittman said it is \$66,500.
- Mr. Malinchak said they have to add the \$10,000 on for his CD money. He said the correct number there for the Mayor should be \$80,325.00. He said that was the interpretation that Mr. Dice made and it is based on Dennis's W-2.

- Mr. Cherepko said he thinks that was fixed last year.
- Mr. Tedesco said the issue is that Mr. Dice ruled that they go off of Dennis' W-2 which is a combination of his CD money and his City Administrator money.
- Mr. Cherepko said he believes that Mr. Pittman was a \$67,000 this year, that is what he made. He said they didn't have it in there as \$57,000 and \$10,000.
- Mr. Tedesco said no they have it at \$66,500 and \$10,000.
- Mr. Pittman said the Administrator's salary is in at \$66,500.
- Mr. Tedesco said plus the \$10,000 from CD.
- Mr. Malinchak said plus the \$10,000 from CD and 1.05 times that should equal about \$80,325.
- Mr. Segina said he thinks really that they have to take a look at that after the first of the year among other things. He said that 5% increase every year is based on what the Administrator does and the Mayor does. He said there is no fairness to both the City and to those people who are in charge of the City as Mayor and Administrator. He said he is not saying one way or another but he thinks they should all take a look at that ordinance and come up with something that is very equitable to eliminate this kind of surprise.
- Mr. Cherepko said just so he knows it is not a 5% increase every year. He said it is just 5% above what the City Administrator makes. He said if that stays the same then
- Mr. Segina said but it happens every year.
- Mr. Cherepko said that is not true.
- Mr. McCall said they don't get a raise every year.
- Mr. Cherepko said no, Mr. Pittman doesn't get a raise every year.

- Mr. Malinchak said no this is the first time since he has been here that he got a raise.
- Mr. Pittman said the first time in 8 years.
- Mr. Malinchak said let him get back to his original question. He said to calculate the Mayor's salary, is it correct that they should be using the \$66,500 plus \$10,000. He said if his higher math is correct, they should multiply that by 1.05 and they should have the Mayor's salary line item funded at that amount based on the opinion that Mr. Dice rendered.
- Mr. Segina said that opinion was not right as far as he is concerned.
- Mr. Malinchak said that is not the issue. He said he understands and agrees with him.
- Mr. Segina said he understands.
- Mr. Malinchak said he agrees with Mr. Segina because the ordinance does not say W-2. He said he agrees with him 100%.
- Mr. Cherepko said they are not going to sit here and argue that. He said when Mr. Dice rendered that opinion, just to clarify the record, he wrote his opinion based on his numbers that it was \$57,000 and \$10,000 for Mr. Pittman. He said that was the numbers that Mr. Malinchak gave him at the time. He said just so they are aware of that and to clarify this so they don't confuse anyone.
- Mr. Tedesco said then if he is saying the W-2 are what they go by then that is one thing.
- Mr. Malinchak said he said the W-2 is what they go by.
- Mr. Cherepko said then he believes the draft that Mr. Pittman just gave them they are going to keep the Mayor's salary at what it was and it is not going to be increased. He said whatever he wants to do Mr. Segina.

- Mr. Segina said that is why he says they should really take a look at this. He said they fought about this and Ms. Williams can concur with this and they fought over this same thing years ago. He said they ought to put it in perspective to come up with something that is fair and equitable to everyone.
- Mr. Tedesco said the ordinance is actually ridiculous. He said they are allowing the Mayor to set his own salary. He said that should not
- Mr. Segina said that is correct.
- Mr. Cherepko said that is not true. He said that is absolutely not true. He said the Mayor doesn't vote on that ordinance.
- Mr. Tedesco said the Mayor is the one who sends in the budget setting the City Administrator's salary.
- Mr. Cherepko said wait a minute here, this Council approves that budget.
- Mr. Tedesco said this Council approves it absolutely. He said they are still letting the Mayor submit the budget.
- Mr. Cherepko said he is just saying
- Mr. Tedesco said that salary should be already established and should have no impact on what he makes.
- Mr. Segina said he agrees with Mr. Tedesco. He said for Mike's own sake, he thinks that is why they should take a look at that because it is not right the way it is now. He said all he has to do
- Mr. Cherepko said he thinks there are a lot of things in their Charter.
- Mr. Segina said if the Mayor wants a raise, all he has to do is bump up the City Administrator's salary to \$80,000 and he is going to be 5% over that and say whoopee.

- Mr. Cherepko said that is
- Mr. Malinchak said he wants to ask the Mayor and Mr. Pittman, when they prepare the budget for next year, what are they going to put in that line. He said silence, or are they going to put a number in there.
- Mr. Pittman said he would be putting in \$70,000.
- Mr. Cherepko said for the Mayor and \$66,500 for the City Administrator.
- Mr. Segina said keep in mind that Dan Onorato makes \$84,000 as County Executive. He said they are getting there so that is why they have to make a decision.
- Mr. Malinchak said he doesn't see how they come up with \$70,000 when the ordinance says according to the decision
- Mr. Pittman said let him confer if he may. He said they had a work session yesterday and a draft went to all members of Council as Mr. Tedesco has mentioned they are going to get together a couple more times before November. He said maybe in those sessions, the legislative body will resolve how they want to set that and maybe they could pass a motion or resolution to address that once and for all and it would give them the plug number that this Council wants. He said that would make his life easier.
- Mr. Cherepko said he agrees.
- Mr. Segina said he agreed with \$70,000 though and
- Mr. Cherepko said he agrees that it should not go above \$70,000. He said there is no question about that.
- Mr. Malinchak said but they are not consistent with the ordinance.
- Mr. Cherepko said then they will have to ... then they have to be consistent or they will have to change their line items.

- Mr. Malinchak said the ordinance dictates to them what they put on the line item.
- Mr. Cherepko said it will get fixed.
- Mr. Malinchak said is he going to put that up to a public referendum because it is part of the Home Rule Charter.
- Mr. Cherepko said that is Mr. Malinchak's opinion, here we go.
- Mr. Malinchak said alright let's go on. He said by the way, as Mr. Tedesco was mentioning, if they look at the Third Class City Code, if the Mayor or any person in any elected office cannot get a raise while they are in office. He said the way that ordinance is written right now every year that the City Administrator gets an increase, so does the Mayor.
- Mr. Tedesco said that's true.
- Mr. Malinchak said to go on, another thing he would like the Mayor to think about on his budget is that he might want to consider including enough funds in there so they can update the pictures on the wall here. He said the Mayor's would be added in January. He said he thinks they are a little bit behind here on recognizing the Mayors of their community. He said two are missing and he is the third one.
- Mayor McLaughlin said he doesn't take good pictures so don't worry about it.
- Mr. Malinchak said just to be consistent.
- Mr. Tedesco said he will draw stick figures.
- Mr. Malinchak said he recommends to Council to approve the bills in the amount of \$15,190.40.

**MOTION: Mr. Tedesco moved, seconded by Mr. Segina,
 "To approve payment of the bills in the
 amount of \$15,190.40."**

RC-15 YEAS: McCALL, CHEREPKO, TEDESCO, DELLAPENNA,
SEGINA, WALKER-MONTGOMERY 6

NAYS: NONE..... 0

- Mr. Pittman said he has one other item. He said he is going to pass this around again. He said he thinks this went into their mailboxes but if it did not, he apologizes for that. He said he would like if it is their pleasure that he gets a motion from Council and would like to distribute this to all City employees and Department Heads and anyone who deals with either of the two situations. He said they have had their insurance carrier in, correspondence noted that they may need to do vehicle motor checks once a year. He said they noted that they have to do some fleet management things and he is going to recommend that they have in place officially as a City Policy a cash transaction statement that says they would not deal other than in petty cash for anything that requires cash either incoming or outgoing.
- Mr. Tedesco said he completely agrees with Dennis. He said he thinks they might want an actual motion written up by Mr. Alexander regarding that so it is comprehensive. He said he doesn't think they should do this on the fly.
- Mr. Cherepko said they can make it where if he wants to pass this out, feel free.
- Mr. Pittman said do they want to make a resolution.
- Mr. Tedesco said he thinks they should do it by resolution.
- Mr. Pittman said their insurance carrier was concerned that they have some exposure here that they think they can eliminate and he agreed with them.
- Mr. Tedesco said that is why he believes the Solicitor should make a comprehensive resolution.
- Mr. Pittman said that is fine.

- Mr. Cherepko said in the meantime if he wants to pass it out that is fine.
- Mr. Tedesco said they can pass out a memo, that is not going to make a difference on their end as far as a resolution.
- Mr. Segina said if they want to put on a resolution they can vote on it next month.
- Mr. Pittman said he will let everyone know that a resolution is in process but he thinks they should start immediately.
- Mr. Segina said yes.
- Mr. Tedesco said absolutely.
- Mr. Segina said he can't wait until next month.
- Ms. Williams said she has one other thing. She said they got an invitation to participate in the Memorial Day parade. She said she is going to send in the reservation for everyone but she will give him the time later.
- Mr. Pittman said Memorial Day is in May.
- Ms. Williams said she is sorry, it's the Association. She said she will give them a copy in their mail slots.

ADJOURNMENT:

President of Council Michael Cherepko adjourned the meeting at 8:50 p.m.

Respectfully submitted,

APPROVED:

Patricia A. Williams
City Clerk and Clerk of Council

Michael E. Cherepko
President of Council

daw